

107TH CONGRESS
1ST SESSION

H. R. 3326

To amend title II of the Social Security Act to provide for full benefits for disabled widows and widowers without regard to age.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2001

Mrs. LOWEY (for herself, Mr. CONYERS, Mr. PALLONE, Mr. PAYNE, Ms. WATSON of California, Mr. WYNN, Ms. BROWN of Florida, Mr. FARR of California, Mr. FROST, Ms. WATERS, Ms. WOOLSEY, Ms. LEE, Ms. PELOSI, Mr. CROWLEY, and Mr. BACA) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to provide for full benefits for disabled widows and widowers without regard to age.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FULL BENEFITS FOR DISABLED WIDOWS AND**
4 **WIDOWERS WITHOUT REGARD TO AGE.**

5 (a) ELIGIBILITY FOR WIDOW'S INSURANCE BENE-
6 FITS.—Section 202(e) of the Social Security Act (42
7 U.S.C. 402(e)) is amended—

1 (1) in paragraph (1)(B), by striking “has at-
2 tained age 50 but has not attained age 60 and”;

3 (2) in paragraph (3)(A), by striking “after at-
4 taining age 50 if she was entitled before such mar-
5 riage occurred” and inserting “after having been en-
6 titled”; and

7 (3) in paragraph (3)(B), by striking “after at-
8 taining age 50”.

9 (b) ELIGIBILITY FOR WIDOWER’S INSURANCE BENE-
10 FITS.—Section 202(f) of such Act (42 U.S.C. 402(f)) is
11 amended—

12 (1) in paragraph (1)(B), by striking “has at-
13 tained age 50 but has not attained age 60 and”;

14 (2) in paragraph (4)(A), by striking “after at-
15 taining age 50 if he was entitled before such mar-
16 riage occurred” and inserting “after having been en-
17 titled”; and

18 (3) in paragraph (4)(B), by striking “after at-
19 taining age 50”.

20 **SEC. 2. EXEMPTION FROM REDUCTIONS IN BENEFITS.**

21 Section 202(q) of the Social Security Act (42 U.S.C.
22 402(q)) is amended—

23 (1) in paragraph (3)(A), by striking “age 50”
24 and inserting “age 60”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(12) Notwithstanding any other provision of this
4 section, there shall be no reduction under this subsection
5 in the widow’s or widower’s insurance benefit of an indi-
6 vidual for any month in which such individual is under
7 a disability (as defined in section 223(d)); and none of
8 the provisions of this subsection shall apply with respect
9 to such benefit even though such benefit may have been
10 so reduced prior to the onset of such disability.”.

11 **SEC. 3. EFFECTIVE DATE AND REDETERMINATION OF BEN-**
12 **EFITS.**

13 The amendments made by this Act shall apply with
14 respect to monthly insurance benefits payable under title
15 II of the Social Security Act for months after the month
16 in which this Act is enacted. The Commissioner of Social
17 Security (without the necessity of any application there-
18 for) shall redetermine the amount of any widow’s or wid-
19 ower’s insurance benefit which is payable for the month
20 in which this Act is enacted in order to reflect such
21 amendments as provided in the preceding sentence.

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